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Attorneys for Federal Defendants

UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA
 SAN JOSE DIVISION

HORTA, LLC,)	No. C 05-03778 JF (RS) and
)	Related Case No. C 02-04086 JF (RS)
Plaintiff,)	
)	STIPULATION AND [PROPOSED]
v.)	ORDER REGARDING SUBMISSION OF
)	MOTIONS
FEDERAL AVIATION)	
ADMINISTRATION, a federal agency, et)	
al.,)	
)	
Defendants)	

The Court held a further case management conference in these related cases on August 18, 2006. The Court had previously deferred ruling on pending motions in these related cases due to ongoing discussions between plaintiff and the Federal Aviation Administration. At the most recent case management conference, the Court advised counsel that they may file supplemental letter briefs relating to the currently pending motions to quash (Case No. C02-04086 JF, "the San Jose Action") and for summary judgment (Case No. C05-03778 JF, "the FAA Action"), but the Court did not set a deadline for the submission of such briefs. Plaintiff Horta, LLC and the federal defendants (in the FAA Action) and federal moving parties (in the San Jose Action) therefore STIPULATE AND REQUEST that the Court enter an order setting a

1 deadline of October 13, 2006 for the filing and service of any such supplemental briefing of up
2 to five pages, after which time the motions will be deemed submitted.

3 IT IS SO STIPULATED.

4
5 Dated: September 18, 2006

Respectfully submitted,

SHEPPARD MULLIN RICHTER
& HAMPTON LLP

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7 /s/

JAMES CHADWICK
Attorneys for Plaintiff HORTA, LLC

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9 DATED: September 19, 2006

KEVIN V. RYAN
United States Attorney

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12 /s/

CLAIRE T. CORMIER
Assistant United States Attorney
Attorneys for Federal Defendants in the FAA
Action and for the Federal Moving Parties
in the San Jose Action

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16 **[PROPOSED] ORDER**

17 Pursuant to the stipulation of the parties and good cause appearing, the parties to case
18 number C05-03778 JF (RS) and case number C02-04086 JF (RS) may file and serve any
19 additional briefing as described in the stipulation above no later than October 13, 2006, after
20 such time the motions to quash and for summary judgment, described above, shall be deemed
21 submitted. The supplemental briefing shall be limited to letter briefs not to exceed five pages in
22 length.

23 IT IS SO ORDERED.

24
25 September 21 __, 2006

26 
JEREMY FOGEL
UNITED STATES DISTRICT JUDGE